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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,055	03/24/2005	Michael Harris	124-1111	1768

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EXAMINER	
BRAINARD, TIMOTHY A	
ART UNIT	PAPER NUMBER
3662	
MAIL DATE	DELIVERY MODE
01/15/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Supplemental Examiners Answer in response to the Reply Brief dated 8/19/2009

Responsive to Reply Brief on 8/19/2009, a supplemental Examiner's Answer is set forth below: Applicant's arguments filed 8/19/2009 have been fully considered but they are not persuasive. Applicant argues:

1. 1) the Examiner's statement that a "laser radar device is a device that uses a laser beam to scan an area to create a picture of the area" is, at best, not the dictionary definition of a "bistatic laser radar device" or the definition set out in the specification and used in the claims and, at worst, is simply misleading.

2. Response: The applicant does not give the dictionary definition of laser radar. Since Schneiter has a separate receiving and transmitting section and determines the distance to on object using triangulation and properties of the reflected light, it qualifies as a bistatic laser radar device as claimed and described in the specification by the applicant.

3. 2) An additional issue that the Examiner continues to ignore is that Appellant's claim also recites the limitation "radar" ("A bistatic laser radar device") and an aspect of all types of radar is that target information is obtained from the timing of the transmitted and received beam or pulse. This "timing" or temporal aspect is completely absent from the Schneiter patent which operates exclusively based on geometric spatially.

4. Response: a laser radar is not a radar device. The properties of a radar device including "timing" or temporal aspect of the transmitted and received beam or pulse are not necessarily relevant to discussion of a laser radar device. This particular feature is

also not claimed not nor is it inherent since a radar and a laser radar are different devices

5. 3) The transmit and receive beams must be coherent laser beams to be part of a LIDAR.

6. Response: The applicant does not claim a coherent laser as part of the laser radar nor is it inherently part of a laser radar system.

7. Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY A. BRAINARD whose telephone number is (571)272-2132. The examiner can normally be reached on Monday - Friday 8:00 - 5:00.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. A. B./

Examiner, Art Unit 3662

/Thomas H. Tarcza/

Supervisory Patent Examiner, Art Unit 3662

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:

/Katherine Matecki/

Director, Technology Center 3600